

1  
2  
3  
4  
5  
6  
7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT TACOMA

10                   ANTOLIN ANDREW MARKS,

11                   Plaintiff,

12                   v.

13                   DE GUIA *et al.*,

14                   Defendants.

15                   Case No. C07-5667BHS/JKA

16                   ORDER LIFTING STAY

17                   This action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§  
18 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4.

19                   The stay entered in this action on December 19, 2007, (Dkt # 13) is now removed. Subsequent to  
20 this action being stayed the majority of the named defendants entered into an stipulated settlement. The  
21 remaining defendants are either federal or county entities. The federal defendants are Melendez, Garman,  
22 and Johnson. The county defendants are the Pierce County Sheriff and unnamed officers.

23                   Ripe for consideration is Pierce County's motion to dismiss based on lack of personal service and  
24 for failure to state claim. That motion will be addressed in a Report and Recommendation.

25                   The clerk's office is directed to send copies of this order to plaintiff and counsel for defendants.

26                   DATED this 29 day of January, 2008.

27  
28                   /S/ J. Kelley Arnold  
                         J. Kelley Arnold  
                         United States Magistrate